CF0000061383

(02)

Division Bench (Criminal)

IN THE HIGH COURT OF JUDICATURE AT JABALPUR

Criminal Appeal No. 2170 of 1997

APPELLANTS (In Jail) :

1. Madkami Hadma, aged about 40 years, son of Hidma.
2. Madkami Hinga, aged about 25 years, son of Hadma.
3. Madkami Hoonga, aged about 20 years, son of Hadma.

All R/o Kundanonpal, Milkampara, P.S. Kookanar, Distt. Baster, M.P.

14215
Filed on 13.10.97
by Shri Hemant Soni
Advocate
Rly. A.R.

Versus

RESPONDENT : State of Madhya Pradesh.

CONVICTION	SENTENCE
U/s.302 of IPC.	R.I. for life (Appellant No.1)
U/s.304-II	R.I. for 5 years (Appellant No.2 & 3

MEMO OF CRIMINAL APPEAL UNDER SECTION 374(2) OF THE Cr.P.C.

XI-HC-22

(2)
(19)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Criminal Appeal 2170/92 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

D.B: HON'BLE JUSTICE L.C.BHADOO,
HON'BLE JUSTICE VIJAY KUMAR SHRIVASTAVA, JJ
01.12.2005

Shri RK Jain, counsel for the appellants.

Shri UNS Deo, Additional Public Prosecutor for the State / respondent.

Heard.

Learned Additional Public Prosecutor submits that accused / appellant No.1 - Madkami Hadma is no more, as he died in the Central Jail, Jagdalpur on 31.01.2002.

Learned Additional Public Prosecutor submitted written information to this effect.

In view of the above, so far as appellant No.1 is concerned, the appeal stands abated.

As far as appellants No.2 & 3 are concerned, they have been convicted under Section 304 -II of the IPC and sentenced to undergo RI for five years each. No appeal has been preferred by the State.

We have heard learned counsel for the parties and perused the evidence and judgment of the trial Court. As per the evidence of PW-1, Tingali, para-2, the involvement of the accused /appellants in causing death of Ramdhar-deceased with a rapa and lathi, is established and the same has been corroborated by the evidence of PW-2 Lakhmu and PW-3 Gopi.

[पीछे देखिये

XI-HC-22

(29)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक CA A 2170/97 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

In view of the above evidence, we are of the considered opinion that the involvement of the accused/appellants in crime in question is established and the finding of the trial Court does not require any interference by this Court.

In the result, we do not find any merit in this appeal and the same is liable to be dismissed and it is accordingly dismissed.

Sd/-
L.C. BHADOO
Judge

Sd/-
V.K. Shrivastava
Judge

Padma

[पीछे देखिये